

REMARKS

Entry of the foregoing amendments is respectfully requested. In an Office action delivered electronically on April 2, 2008, the Examiner has allowed claims 4-9 and 15, and rejected claims 10 and 19-24. In this response, claim 10 has been cancelled. Thus, claims 4-9, 15, and 19-24 are pending.

Specifically, the Examiner has 1) objected to the specification for missing conjunctions in paragraph [0005], 2) objected to the specification for failing to provide antecedent basis for the claimed terms “about” and “saturation magnetization,” where Table 1 labels the claimed values as “remanent magnetization,” and because it does not teach the claimed elements Y, Gd, Ta, W, Nb, and Al, 3) objected to claim 10 for informalities, 4) rejected claims 19-24 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement, 5) rejected claim 10 under 35 U.S.C. 112, first paragraph, for lack of enablement, 6) rejected claim 10 under 35 U.S.C. 102(b) as being anticipated by WO 01/77024, and 7) accepted the drawings filed on January 24, 2008.

Objection to the specification for informalities in paragraph [0005]

The Examiner has objected to the specification for informalities in paragraph [0005], specifically, for missing conjunctions between the elements defining A, B, and M. Although applicants are not completely sure what the Examiner means by this, paragraph [0005] has been amended to contain the conjunction “and” before the description for M, and thus this objection is believed to have been overcome.

Objection to the specification for failing to provide proper antecedent basis

The Examiner has objected to the specification for failing to provide proper antecedent basis for claimed subject matter per 37 CFR 1.75(d)(1) and MPEP § 608.01(o); specifically, that claims 4-9 teach values that are about some number, whereas the specification teaches exact values. Additionally, the Examiner asserts that the claimed term “saturation magnetization” for the values claimed in claims 4-9 are not taught in the specification. Additionally, the claimed elements Y, Gd, Ta, W, Nb, and Al were not apparently taught

In this response, new paragraph [0005.1] has been added to reiterate that the non-magnetic element A in a ferromagnetic perovskite oxide material having the formula $(A_{1-x}M_x)BO_3$ may be selected from the group consisting of Ca, Sr, Ba, Pb, Y, La, and Gd; that the element B is at least one non-magnetic element selected from the group consisting of Ti, Zr, Hf, Sn, Mo, Ta, W, Nb, Al, and Bi; and that the element M is at least one magnetic element selected from the group consisting of Fe, Co, Ni, Cr, Mn, and V. The index “x” in an embodiment satisfies the values x being greater than 0, and less than 0.15. In another embodiment, x ranges from 0 to 0.15 when A is either Ca or Ba; B is Ti, Zr, or Hf; and M is Fe, Co, or Ni.

Support for this new paragraph [0005.1] may be found in claims 1, 2, and 3 as filed in the original specification.

Furthermore, new paragraph [0005.2] has been added to reiterate that the saturation magnetizations for the ferromagnetic perovskite oxides having the formulas $(Ba_{0.95}Fe_{0.05})TiO_3$, $(Ca_{0.95}Fe_{0.05})TiO_3$, $(Ba_{0.95}Fe_{0.05})ZrO_3$, $(Ca_{0.95}Fe_{0.05})ZrO_3$, $(Ba_{0.95}Fe_{0.05})HfO_3$, and $(Ca_{0.95}Fe_{0.05})HfO_3$ may have the saturation magnetizations of about 0.10, 0.11, 0.11, 0.12, 0.125, and 0.12 μ_B /mole Fe at 300K, respectively. Also,

according to these embodiments, the coercive fields may be about 16, 12, 25, 4.5, 20, and 7 Oe at 300K for the same six compounds, respectively.

Support for this new paragraph [0005.2] may be found, again, in claim 1 as filed in the original specification.

Support for the claimed elements Y, Gd, Ta, W, Nb, and Al in the specification has now been provided via originally filed (now canceled) claim 1.

Objection to claim 10

The objection to claim 10 has been overcome since claim 10 has been cancelled.

Rejection to claims 19-24 under 35 U.S.C. 112, first paragraph

Claims 19-24 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The Examiner says that the originally filed disclosure stated $0 < x < 0.15$, but the claimed ranges in the response filed January 24, 2008, were $0 \leq x \leq 0.15$.

Applicants respectfully disagree. Ranges for x that include zero and 0.15 are disclosed in claims as originally filed (now cancelled) 2 and 3 when A is Ca and Ba; B is Ti, Zr and Hf; and M is Fe, Co, and Ni, as is the case in claims 19-24.

Rejection of claim 10 under 35 U.S.C. 112, first paragraph

The rejection of claim 10 under 35 U.S.C. 112, first paragraph, has been overcome since claim 10 has been cancelled.

CONCLUSIONS

Entry of the foregoing amendment is respectfully requested. Claims 4-9 and 15 have been allowed. Claims 1-3, 10-14, and 16-18 have been cancelled. Claims 19-24 have been previously presented. Thus, claims 4-9, 15, and 19-24 are pending.

In view of the foregoing, applicants believe that claims 4-9, 15, and 19-24 are in condition for allowance. An issuance of a formal Notice of Allowance on an early date is respectfully requested.

Should the Examiner feel that a telephone conference would advance the prosecution of the present application, she is invited to call the undersigned attorney at the number listed below.

Respectfully submitted,

Date: September 2, 2008

By: /Martin C. Fliesler/
Martin C. Fliesler
Registration No. 25,656

Fliesler Meyer LLP
650 California Street, 14th Floor
San Francisco, CA 94108
(415) 362-3800
Customer No. 23910